



1997 ASSEMBLY BILL 543

September 30, 1997 - Introduced by Representatives BAUMGART, BLACK and KEDZIE, cosponsored by Senators RISSER, ROSENZWEIG and ROESSLER. Referred to Committee on Small Business and Economic Development.

1 **AN ACT to amend** 59.70 (22), 60.23 (29), 84.30 (2) (j), 84.30 (3) (e) and 84.30 (10)
2 (a); and **to create** 20.395 (1) (hs), 84.30 (2) (am), 84.30 (3m) and 84.305 of the
3 statutes; **relating to:** the billboard elimination grant program, prohibiting the
4 erection of new billboards, granting rule-making authority and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, no person may erect or maintain an outdoor advertising sign visible from the main-traveled way of an interstate or federal-aid highway unless he or she possesses an annual permit issued by the department of transportation (DOT) and the sign complies with applicable regulations. DOT may remove signs that are improperly placed or that do not conform to applicable requirements, but for each sign removed must pay just compensation to the owner of the sign and to the owner of the land on which the sign is located.

This bill prohibits the erection of new billboards, but allows existing billboards to be maintained and to vary their advertising and informative displays.

The bill also creates a billboard elimination grant program, administered by DOT, to provide grants of financial assistance to cities, villages, towns and counties to acquire and eliminate billboards. The bill increases the annual license fee for an outdoor advertising sign by \$50, to \$300, to fund the grants.

ASSEMBLY BILL 543

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.395 (1) (hs) of the statutes is created to read:

2 20.395 (1) (hs) *Billboard elimination grant program, state funds.* All moneys
3 received from the fees collected under s. 84.30 (10) (a) to be used for the billboard
4 elimination grant program under s. 84.305.

5 **SECTION 2.** 59.70 (22) of the statutes is amended to read:

6 59.70 (22) BILLBOARD REGULATION. The board may regulate, by ordinance, the
7 maintenance ~~and construction~~ of billboards and other similar structures on premises
8 abutting on highways maintained by the county so as to promote the safety of public
9 travel thereon. Such ordinances shall not apply within cities, villages and towns
10 which have enacted ordinances regulating the same subject matter.

11 **SECTION 3.** 60.23 (29) of the statutes is amended to read:

12 60.23 (29) BILLBOARD REGULATION. Enact and enforce an ordinance, and provide
13 a forfeiture for a violation of the ordinance, that regulates the maintenance ~~and~~
14 ~~construction~~ of billboards and other similar structures on premises abutting on
15 highways in the town that are maintained by the town or by the county in which the
16 town is located so as to promote the safety of public travel on the highways.

17 **SECTION 4.** 84.30 (2) (am) of the statutes is created to read:

18 84.30 (2) (am) "Billboard" means any structure, whether freestanding or
19 supported, that is designed or used for the principal purpose of having advertising
20 or informative content displayed upon it.

21 **SECTION 5.** 84.30 (2) (j) of the statutes is amended to read:

ASSEMBLY BILL 543

1 84.30 (2) (j) "Sign" means any outdoor advertising sign, display, device, notice,
2 figure, painting, drawing, message, placard, poster, billboard, or other thing, which
3 is designed, intended, or used to advertise or inform, any part of the advertising or
4 informative contents of which is visible from any place on the main-traveled way of
5 any portion of an interstate highway or primary highway.

6 **SECTION 6.** 84.30 (3) (e) of the statutes is amended to read:

7 84.30 (3) (e) Signs, other than billboards, to be erected in business areas
8 subsequent to March 18, 1972, which when erected will comply with sub. (4).

9 **SECTION 7.** 84.30 (3m) of the statutes is created to read:

10 84.30 (3m) ERECTION OF BILLBOARDS PROHIBITED. No billboard that is visible
11 from the main-traveled way of any interstate highway or primary highway may be
12 erected after the effective date of this subsection ... [revisor inserts date]. This
13 subsection does not prohibit the maintenance of a billboard, or the varying of the
14 advertising or informative contents of a billboard, that is lawfully erected on the
15 effective date of this subsection [revisor inserts date].

16 **SECTION 8.** 84.30 (10) (a) of the statutes is amended to read:

17 84.30 (10) (a) ~~On or after January 1, 1972, no~~ No person shall engage or
18 continue to engage in the business of outdoor advertising in areas subject to this
19 section without first obtaining a license therefor from the department. The fee for
20 the issuance of a license or for the renewal thereof ~~shall be \$250~~ is \$300 payable in
21 advance. Fifty dollars from each fee collected under this paragraph shall be credited
22 to the appropriation account under s. 20.395 (1) (hs). Each license shall remain in
23 force until the next succeeding December 31 and may be renewed annually.

24 **SECTION 9.** 84.305 of the statutes is created to read:

